

DOCKET NO: 270749US6PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
MINEHIRO TONOSAKI, ET AL. : EXAMINER: LEO, LEONARD R.
SERIAL NO: 10/538,296 :
FILED: JUNE 10, 2005 : GROUP ART UNIT: 3744
FOR: HEAT TRANSPORT APPARATUS :
AND HEAT TRANSPORT APPARATUS
MANUFACTURING METHOD

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Election of Species Requirement ("Requirement") dated September 9, 2008, Applicants elect Species II, listed in the Requirement as readable on Claims 1-8 and 10.

Applicants respectfully traverse the Requirement for the following reason.

MPEP § 803 states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

The claims of the present invention would appear to be part of an overlapping search area. Accordingly, Applicants respectfully traverse the outstanding Requirement on the grounds that a search and examination of the entire application would not place a serious burden on the Examiner. Therefore, an action on all of Claims 1-10 is earnestly solicited.

Application No. 10/538,296
Reply to Office Action of September 9, 2008

The present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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